

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

707I0296

HOUSE BILL NO. 1032

Introduced by: The Committee on Judiciary at the request of the Attorney General

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the collection and
2 filing of DNA information.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 23-5-14 be amended to read as follows:

5 23-5-14. The attorney general shall procure and file for record genetic marker grouping
6 analysis information from any person convicted of, pleading guilty to, or having been found
7 guilty of a sex crime pursuant to chapter 22-22 or a crime of violence as defined in § 22-1-2. The
8 attorney general also shall cooperate with and assist corrections officers, sheriffs, chiefs of police,
9 and other law enforcement officers to the end that a complete state system of genetic marker
10 grouping analysis information may be established. The Department of Corrections, immediately
11 upon attaining custody of any person ~~for a conviction of~~ convicted of, pleading guilty to, or
12 having been found guilty of a crime of violence as defined in § 22-1-2 or ~~a conviction of~~ a sex
13 crime pursuant to chapter 22-22, shall arrange for collection of biological specimens for genetic
14 marker grouping analysis according to the system established by the Division of Criminal
15 Investigation and shall forward any such specimen to the division for classification and filing. If
16 the court does not sentence a person convicted of, pleading guilty to, or having been found guilty



1 of a sex crime pursuant to chapter 22-22 or a ~~person convicted of a~~ crime of violence as defined
2 in § 22-1-2 to the Department of Corrections, the court shall order the ~~convicted~~ person to
3 immediately report to a law enforcement agency for the collection of a biological specimen for
4 genetic grouping analysis.